

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAVID BURTON, )  
Plaintiff, )  
v. ) No. 2:22-00096  
DUQUESNE UNIVERSITY, )  
Defendant. )  
Judge Robert J. Colville

## **CASE MANAGEMENT ORDER**

IT IS HEREBY ORDERED that this action is placed under Local Rule 16.1 for pretrial proceedings and all provisions of the Rule will be strictly enforced. Pursuant to Local Rule 16.1, the parties are directed as follows:

1. Rule 26(a) disclosures shall be made on or before **January 13, 2025**.
2. The parties shall move to add new parties or amend the pleadings by **March 7, 2025**.
3. The parties shall complete fact discovery by **June 20, 2025**. All interrogatories, depositions and requests for admissions and/or production of documents shall be served within sufficient time to allow responses to be completed prior to the close of fact discovery.
4. Plaintiff's Expert Reports are due on or before **July 22, 2025**.
5. Defendants' Expert Reports are due on or before **August 29, 2025**.
6. Depositions of Plaintiff's experts shall take place on or before **August 22, 2025**.
7. Depositions of Defendants' experts shall take place on or before **September 29, 2025**.
8. The parties shall complete the ADR process they selected by **March 7, 2025**. Discovery is NOT stayed pending ADR.

9. If a discovery dispute occurs, prior to filing any discovery motions, the parties shall first meet and confer in an attempt to resolve the dispute. If the matter is still unresolved after meeting and conferring, then the parties shall jointly contact Chambers for purposes of scheduling a telephone conference with the Court.
10. The parties have elected to have the Court separately enter the Model Order located in the Appendix to LCvR 16.1.D relating to the protections of Federal Rule of Evidence 502(d).
11. For reference, the Court directs the parties to its “Statement Regarding Courtroom Opportunities for Newer Lawyers,” which can be found on the Court’s website, and the Court’s general willingness to allow and accommodate the participation of newer lawyers in courtroom proceedings.
12. Unless otherwise requested by the parties, the Court will conduct a telephonic post-discovery status conference on June 26, 2025 at 10:00 a.m. Lead trial counsel shall attend, and the court will inform counsel if attendance by the parties is necessary. The Court has begun conducting this conference by telephone as a matter of course, but any party may request that the conference take place in person. Further, to the extent the parties believe that paper submissions will suffice and that a telephone conference is unnecessary, they may contact Chambers via email or telephone call to inform the Court of the same. The Court notes that typical topics for discussion at the post-discovery status conference include the scheduling of expert discovery deadlines, the scheduling of dispositive motions deadlines, further ADR efforts of the parties, and, if all discovery is complete and no party intends to file dispositive motions or believes that further ADR efforts would prove worthwhile, the scheduling of pretrial deadlines and trial. Any paper submission submitted in lieu of a post-discovery status conference should address such topics. To the extent the

parties elect to pursue a conference, at least five (5) business days prior to the post-discovery status conference, the parties shall file on the docket an updated joint pre-conference statement. *See* Hon. Robert J. Colville Practices and Procedures, III.A.2. Any party may supplement the joint pre-conference statement with an individually filed voluntary position statement. *See* Hon. Robert J. Colville Practices and Procedures, III.A.3.

IT IS FURTHER ORDERED that counsel shall confer with their clients prior to all case management, status or pretrial conferences to obtain authority to participate in settlement negotiations to be conducted by the Court. Counsel are encouraged to instruct the principals to be available by telephone to facilitate the amicable resolution of all litigation.

BY THE COURT:

s/ Robert J. Colville

Robert J. Colville  
United States District Judge

Dated: January 6, 2025

cc: all counsel of record